

**TOWN OF ROCKY HILL  
OPEN SPACE AND CONSERVATION COMMISSION  
MEETING OF APRIL 8, 2015**

**1. CALL TO ORDER**

Vice Chairman Riedinger called the Wednesday, April 8, 2015, meeting to order at 6:31 p.m. in the Activity Room 4 of the Rocky Hill Community Center, 761 Old Main Street, Rocky Hill, Connecticut.

Present: Craig Riedinger, Vice Chairman  
Sandra Kelly, Secretary  
Larry Lindenberger, Commissioner  
David Schweitzer, Commissioner  
Scott Stevens, Commissioner  
Todd Brown, Commissioner

Alternates: Christopher Duff  
Rachelle Leone

Also: Bob Alvarado, Engineering Dept.  
Eileen A. Knapp, Recording Secretary

Commissioner Leone voted in the absence of Chairman Charamut.

**2. PLEDGE OF ALLEGIANCE**

Everyone stood and recited the Pledge of Allegiance.

**3. PUBLIC**

No public comment.

**4. APPLICATION FOR A PERMIT**

**A. SMS Realty, LLC- Proposed construction of buildings and associated improvements located within the upland review area at 91 Corporate Place; Assessor ID 12-185;**

**Mr. Thomas Bulzak, Professional Engineer and Land Surveyor with EcoDesign, LLC. in Avon** addressed the Commission representing SMS Realty. SMS Realty is developing on the last empty lot in Corporate Place. The parcel slopes from east to west towards a wetland area of about .88 acres. They are proposing to construct two buildings; one serving as an office building and the other a training facility. This proposal does not impact any wetlands or watercourses on the site but it does involve work in about 6,000 sq. ft. of the upland review area. The site has had

some work done on it in previous years and material was brought in, including a thick layer of rip rap. Through coordination with Town Staff, the Owner cleared all the invasive species from the site. There is a 25' strip of land adjacent to the wetlands that was left alone.

This plan has been presented to the Planning and Zoning Commission and all staff comments have been addressed. The size of the parking spaces has been reduced from 20'x10' to 18'x9.5'. The work is going to be done in two stages with the office being built first and the training center being built within the 5-year permit period. All the site grading will be done and the storm water quality system will be completed in the Phase I.

### **Commissioner Comments/Questions**

Commissioner Kelly asked for more information about the removal of invasives. Mr. Alvarado said in order for the Owner to do the surveying they needed to eradicate as much of the invasive species as possible.

Commissioner Lindenberger asked why the site has monitoring wells on it. Mr. Bulzak said all the monitoring wells predate the acquisition of the site by SMS Realty. The site to the north has had some environmental issues from a metal processing plant that used to be there. The site at 91 Corporate Drive was evaluated by an independent company and it was determined that this site has no environmental concerns. Commissioner Lindenberger said he would like to see the environmental report that was done on the site and noted that there is protocol that must be followed concerning abandoned monitoring wells. He said the silt fencing on the site is damaged and needs to be fixed or replaced quickly. He would like to see double silt-fencing or a row of hay bales added on the down slope for additional protection of the wetlands. Commissioner Lindenberger asked if there would be a need for dewatering during construction. Mr. Bulzak said no, because they never encountered any water when doing their test pits.

Commissioner Schweitzer asked about the site lighting. Mr. Bulzak said they will be using LED, full cutoff fixtures so that there will be no illumination of the wetlands. Commissioner Schweitzer asked about dust control measures during construction. Mr. Bulzak said they will be using water or calcium chloride if necessary. Commissioner Schweitzer said he would like to see a level spreader to disperse the flow from the grass swale on the north side of the site. Commissioner Schweitzer wondered if there is a need for an additional catch basin in the parking area. Mr. Bulzak said he was trying to provide as much overland flow as possible. Commissioner Schweitzer asked that 4' sumps be added to the last catch basins before the discharge. He wondered if 2' was enough room between the catch basin and the end of the infiltration trench on the north side. Mr. Bulzak said he would take another look at that. Commissioner Schweitzer said he would like to see a written maintenance program included in the plans. He was concerned about the size of the loading areas and whether or not large trucks would impact the wetland area. Mr. Bulzak said the loading areas in the back of the buildings are used for training on large construction vehicles and there is plenty of room for those vehicles.

Commissioner Duff asked if they considered any options that would not create any impacts to the upland review area. Mr. Bulzak said yes, but because of the slope of the site they felt this was the best design with the least impacts. Commissioner Duff asked if the picnic area could be

made of a pervious surface. Mr. Bulzak thought a smooth surface would be better suited to this area since it is for picnic tables and he felt that using a pervious surface would be a nominal improvement. Commissioner Duff asked that the staging of construction be scheduled out of critical breeding periods for wetland species and that the landscaping maintenance plan include the use of organic fertilizers in areas closest to the wetlands.

Vice Chairman Riedinger asked that prior to the fill being brought in Staff receives a record of the source of that fill. He was concerned about the treatment of the runoff from the loading area so it wouldn't affect the wetlands. Mr. Bulzak the water sheet flows to the edge of the parking area then flows overland to the swale. From there it continues over a distance of 160-170' before reaching the wetlands. Commissioner Schweitzer asked if the swale could be moved 20' off the edge of the parking area. Mr. Bulzak said they could, but they are trying to limit the amount of fill brought into the site. Vice Chairman Riedinger was concerned about the effectiveness of the system during periods of large amounts of sheet flow from melting of snow. He also wanted to see a maintenance included with the plan. He asked when Phase II would be built. Mr. Bulzak said it would most likely be constructed within a few years. Vice Chairman Riedinger asked if the footprint could be reduced because the size of the parking spaces is being reduced. Mr. Bulzak said the Owner is going to ask that the parking spaces not be reduced from 10' to 9.5' wide and the 2.5' move away from the wetlands is not very much.

Mr. Alvarado said Town Staff has met with the Owner and Mr. Bulzak and they were willing to relocate the acre of open space west so that they could have more of a buffer between the wetlands and the development. They have been very agreeable in proposing best management practices to improve water quality on the site. Staff is pleased with this application. The Applicant is hoping a decision could be made this evening in order to expedite the project. The Planning and Zoning Commission is waiting for the Open Space approval before they can act.

Commissioner Lindenberger said he would like to see the environmental reports that were done on the site and also, any history on the monitoring wells.

**A MOTION was made by Commissioner Lindenberger to approve the application for SMS Realty, LLC- Proposed construction of buildings and associated improvements located within the upland review area at 91 Corporate Place; Assessor ID 12-185 with the following conditions:**

- **Receipt of a copy of the Phase I report that was done on this site**
- **Inclusion of a double row of silt fencing as part of the E&S Controls along the northwest area**
- **Addition of a level spreader at the end of the water quality swale**
- **Inclusion of 4' sumps on the last catch basin**
- **Submission of a maintenance/snow removal plan**
- **Use of organic fertilizer in areas near the upland review area**
- **Receipt of a fill records prior to the delivery of fill to the site to establish its source.**
- **Move swale located to the north 20' off the edge of the pavement.**

**The Motion seconded by Commissioner Schweitzer. All were in favor, MOTION CARRIED UNANIMOUSLY.**

**B. Pratt & Whitney, Division of UTC-proposed sediment removal (remediation) along Dividend Brook located at the former Pratt & Whitney site – 60 Belamose Ave., Assessor's ID 18-088 and 18-089;**

**Ms. Sarah Mann** addressed the Commission representing United Technologies Corporation for this remediation project. Pratt and Whitney used to own this property and they have retained responsibility for remediating contamination on the site. Most of the remediation has been completed and all that remains is removal of sedimentation within Dividend Brook. A small amount of work is also on the Town's property. Ms. Mann said they have permission from the Town of Rocky Hill and the current property owner to do this work. There are some zinc impacts in the Brook, which need to be remediated so they will be working in the waterway. Access will be over a capped landfill. The sediments will be removed in two areas. The first is an area of about 160 sq. ft. that will be enclosed with a trench box to dry it out. Once it is dry the sediment can be removed. The second area takes up the entire width of the brook so they will need to install a temporary gravity bypass channel to divert the water away from the work area. They will put in two dams made of supersacks upstream and downstream from where they are digging. The contaminated material being removed will most likely be kept on site on top of the capped landfill and surrounded with erosion and sedimentation controls. Mr. Dave Kleimer of UTC said they are also considering another option, in which the sediment would be removed from the site. All work will be done in dry conditions. This remediation project is being mandated by the State.

**Commissioner Comments/Questions**

Commissioner Brown asked what type of zinc is being removed. Ms. Mann said it is inorganic zinc. No treatment of the zinc is required once it is removed from the Brook because there are different standards for sediments in water bodies than for those in soils. The zinc sediments meet all standards for soils, which will allow them to keep it on the landfill.

Commissioner Stevens asked what type of mixture will replace what they are removing. Mrs. Mann said they are removing a sand and gravel mixture and replacing it with a similar sand and gravel mixture. Commissioner Stevens was concerned about the bypass system in the event of a large storm event. Ms. Mann said if they see reports of a large storm, they will remove the dams and let Dividend Brook work on its own, without the bypass. They anticipate 5 days of work in the waterway.

Commissioner Lindenberger asked why they chose to dig a trench for the bypass instead of using a pipe. Ms. Mann said they would have to dig farther down to put the pipe in.

Commissioner Schweitzer asked how they planned to restore the temporary access road. Mr. Kleimer said they have submitted a reseeding and restoration plan.

Commissioner Duff asked if there are any endangered species on site that they need to be aware of. Mr. Alvarado said the Applicant will have to check the Diversity Database before beginning work. Commissioner Duff asked at what point they will decide on where the sediment is kept.

Mr. Kleimer said they believe it makes more sense to leave it on site, but the State may require them to remove it from the property. Ms. Mann said when the project is completed they will try to leave the site as they found it.

Vice Chairman Riedinger asked how much material they expect to remove. Mr. Kleimer said they are digging down 1.5' and they expect to remove about 480 cubic yards, or 24 truckloads.

Commissioner Kelly asked when work would start. Mr. Kleimer said they expect to start work in July and finish in September.

Mr. Alvarado said due to the direct impacts to the wetlands, Staff is recommending that a public hearing be held for this application. Commissioner Lindenberger said he would like to see a plan to protect the any aquatic species affected by this project included in the Application.

**A MOTION was made by Commissioner Kelly to table the Application for Pratt & Whitney, Division of UTC-proposed sediment removal (remediation) along Dividend Brook located at the former Pratt & Whitney site – 60 Belamose Ave., Assessor's ID 18-088 and 18-089 for the purpose of holding a public hearing on May 13, 2015. The motion was seconded by Commissioner Brown. All were in favor, MOTION CARRIED UNANIMOUSLY.**

**5. ACTION TAKEN/MINUTES presented for approval for February 11, 2015**

**A MOTION was made by Commissioner Kelly to approve the minutes and action of the February 11, 2015 meeting as presented. The motion was seconded by Commissioner Lindenberger. All were in favor, MOTION CARRIED UNANIMOUSLY.**

**6. DISCUSSION**

**A. ADC Enterprises-Violations at 45 Evans Road**

At the last meeting the Commission asked for a restoration plan to be developed and that the wetlands be flagged by April if possible. They established a hard deadline for these to be submitted on May 13, 2015. If this information is not received by that deadline, the Commission can give Mr. Chiulli more time or they can start the fine process. Bob said he would notify Mr. Chiulli by certified mail of the requirements and possible consequences of not submitting the information.

**A MOTION was made by Commissioner Lindenberger to keep the Cease & Desist Order in place until May 13, 2015 for ADC Enterprises-Violations at 45 Evans Road. The motion was seconded by Commissioner Kelly. All were in favor, MOTION CARRIED UNANIMOUSLY.**

**B. POCD Public Hearing of June 8, 2015**

The POCD Public Hearing will be held on June 8<sup>th</sup> at 6:30 p.m. in the Council Room. The public is encouraged to attend.

### **C. Status Report-Various Projects**

**Foundry Project:** There are no changes since the last update. The developer is still working with the DOT to secure the necessary permits.

**Brookwood Village:** The wall along the slope was finished. The final restoration will be done in May.

**Oleary Farm/Brook Street:** Work on Phase II is beginning, which is the completion of the street loop so the rest of the houses can be built.

**Southbrook Subdivision:** Clearing and grubbing has begun for this project.

**Town Center West:** Work is moving slowly because of the winter. There is a lot of rock on the site that they need to crush. They have received permits for the construction of 3 residential buildings. The culvert along West Street has been constructed but the entrance will not be put in until June.

Commissioner Lindenberger asked about the work being done on New Britain Avenue behind Romano's Pizza. Mr. Alvarado said they have a wetlands permit and they are beginning to construct the third building. He said he is monitoring the progress to make sure the wetlands are protected. Commissioner Lindenberger was concerned because he noticed that they took snow from the parking areas and dumped it into the wetlands. Mr. Alvarado said that is why it is necessary to have a maintenance plan that allows Staff to notify the developer of any violations. Vice Chairman Riedinger said he would like the Commission to take a look at the permit to see if there is any way for the Commission to address these actions.

Mr. Alvarado said there is an MDC project that will be coming before the Open Space Commission soon for a sewer connection that might be going through directly the wetlands. Staff has asked the MDC to come before this Commission for a review and discussion of the application.

### **D. Open Space**

Trails Days are June 6<sup>th</sup> and 7<sup>th</sup> and there are events all over the State. On Sunday, June 7<sup>th</sup> there will be a hike at Quarry Park.

### **E. Legislation**

No discussion.

### **F. Conferences**

There was a conference in March at Wesleyan sponsored by the Connecticut Bar Association. Mr. Alvarado said he has copies of the materials presented at that conference for anyone who may be interested.

**7. CORRESPONDENCE, COMMUNICATIONS**

No discussion.

**8. OTHER BUSINESS**

No discussion.

**9. ADJOURN**

**A MOTION was made by Commissioner Kelly to adjourn the meeting at 8:00 p.m. Seconded by Commissioner Lindenberger. All were in favor, MOTION CARRIED UNANIMOUSLY.**

Respectfully submitted,

Eileen A. Knapp  
Recording Secretary